



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,974	10/19/2001	Donald Kane	2070.006800/P6928	8124
23720	7590	01/12/2005	EXAMINER	
WILLIAMS, MORGAN & AMERSON, P.C. 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			MANOSKEY, JOSEPH D	
			ART UNIT	PAPER NUMBER
			2113	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicati n No. 10/043,974	Applicant(s) KANE ET AL.	
	Examin r Joseph Manoskey	Art Unit 2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 20-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is suggested to the Applicant that "A carrier medium" be changed to "A computer-readable medium".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 and 10-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arimilli et al., U.S. Patent 6,480,975, hereinafter referred to as "Arimilli '975" in view of Arimilli et al. U.S. Patent 5,867,511, hereinafter referred to as "Arimilli '511".

5. Referring to claim 1, Arimilli '975 teaches a method of detecting errors in data stored in a storage device in a system (See Col. 1, lines 5-12), determining if the error is correctable (See Col. 4, lines 24-26), and making at least a portion of the directory cache unavailable to one or more resources in the system in response to determining that the error is uncorrectable (See Col. 6, lines 2-5).

Arimilli '975 does not teach wherein making at least a portion of the directory cache unavailable comprises generating a cache miss in response to a request to access the directory cache, however Arimilli '975 does teach dealing with errors in the cache, that ultimately can make the cache entry unusable (See Col. 6, lines 2-14).

Arimilli '511 cache directory that has a repair mask entry and once the entry has been set any future accesses to the cache line will be seen as a miss (See Col. 7, lines 65-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the repair masking of Arimilli '511 with the directory cache of Arimilli '975. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the allows the processor to continually run after the defect is found in the cache thus making the cache entry unusable (See Arimilli '511, Col. 7, lines 60-67).

6. Referring to claim 2, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 1) including the use of ECC (error correction code) for detecting the errors (See Arimilli '975, Col. 4, lines 52-57).

7. Referring to claim 3, Arimilli '975 and Arimilli '511 disclose all the limitations (See rejection of claim 2) determining if the detected error is correctable by determining that the detected error is a multi-bit error (See Arimilli '975, Col. 4, lines 24-26).

8. Referring to claim 4, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 1) including the use of parity checks and including being applied to address tags (See Arimilli '975, Col. 4, lines 43 and 54-55).

9. Referring to claim 5, Arimilli '975 and Arimilli '511 disclose all the limitations (See rejection of claim 1) including making at least the portion of the directory cache unavailable comprises making at least the portion of the directory cache unavailable while the system is in operation (See Arimilli '975, Col. 6, lines 2-5).

10. Referring to claim 6, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 1) including the use a repair mask when it is determined that the cache location has an error or defect, this is interpreted as comprising testing the directory cache based on determining that the error is uncorrectable (See Arimilli '511, Col. 7, lines 60-67).

11. Referring to claims 7 and 8, Arimilli '975 and Arimilli '511 disclose all the limitations including a retry circuit and allowing ECC to attempt the correct the problem, this is interpreted as servicing the storage device in response to testing and then

dynamically allowing access to the storage unit in response to testing the storage device (See Arimilli '975, Col. 6, lines 2-5).

12. Referring to claim 10, Arimilli '975 discloses an apparatus comprising a directory cache adapted to store at least one entry (See Fig. 1 and Col. 4, lines 54-55). Also the apparatus includes a cache controller (See Arimilli '975, Col. 1, lines 58-60). Arimilli '975 teaches determining if an error in the directory cache is uncorrectable (See Col. 4, lines 24-26), and placing the directory cache offline in response to determining that the error is uncorrectable (See Col. 6, lines 2-5).

Arimilli '975 does not teach wherein placing at least a portion of the directory cache unavailable comprises generating a cache miss in response to a request to access the directory cache, however Arimilli '975 does teach dealing with errors in the cache, that ultimately can make the cache entry unusable (See Col. 6, lines 2-14).

Arimilli '511 cache directory that has a repair mask entry and once the entry has been set any future accesses to the cache line will be seen as a miss (See Col. 7, lines 65-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the repair masking of Arimilli '511 with the directory cache of Arimilli '975. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the allows the processor to continually run after the defect is found in the cache thus making the cache entry unusable (See Arimilli '511, Col. 7, lines 60-67).

13. Referring to claim 11, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 10) including the cache being set-associative (See Arimilli '975, Col. 2, lines 65-67), this interpreted as including three-way set associative.

14. Referring to claim 12, Arimilli '975 and Arimilli '511 disclose all the limitations (See rejection of claim 10) including determining if the detected error is correctable by determining that the detected error is a multi-bit error (See Arimilli '511, Col. 4, lines 24-26).

15. Referring to claim 13, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 12) including the use of parity checks and including being applied to address tags (See Arimilli '975, Col. 4, lines 43 and 54-55).

16. Referring to claim 14, Arimilli '975 and Arimilli '511 disclose all the limitations (See rejection of claim 10) including cache is associated with a domain, and wherein the control unit places the directory cache offline while the domain is active (See Arimilli '975, Col. 6, lines 2-5).

17. Referring to claim 15, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 14) including the cache directory having a repair mask entry and once the entry has been set any future accesses to the cache line will be seen as a miss (See Arimilli '511, Col. 7, lines 65-67).

18. Referring to claim 16, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 14) including the use a repair mask when it is determined that the cache location has an error or defect, this is interpreted as the control unit tests the directory cache in response to determining that the error is uncorrectable (See Arimilli '511, Col. 7, lines 60-67).

19. Referring to claims 17, 18, and 19, Arimilli '975 and Arimilli '511 disclose all the limitations (See rejection of claim of 15) including a retry circuit and allowing ECC to attempt the correct the problem, this is interpreted as servicing the directory cache in response to testing and then dynamically placing the directory cache online in response to testing the storage device (See Arimilli '975 Col. 6, lines 2-5).

20. Referring to claim 20, Arimilli '975 teaches a cache controller that executes instructions from a carrier medium (See Col. 1, lines 58-60). Arimilli '975 discloses determining if the detected error is correctable by determining that the detected error is a multi-bit error (See Col. 4, lines 24-26). Arimilli '975 teaches determining if an error in the directory cache is uncorrectable (See Col. 4, lines 24-26), and isolating the directory cache in response the multiple bit error (See Col. 6, lines 2-5).

Arimilli '975 does not teach wherein isolating at least a portion of the directory cache comprises generating a cache miss in response to a request to access the

directory cache, however Arimilli '975 does teach dealing with errors in the cache, that ultimately can make the cache entry unusable (See Col. 6, lines 2-14).

Arimilli '511 cache directory that has a repair mask entry and once the entry has been set any future accesses to the cache line will be seen as a miss (See Col. 7, lines 65-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the repair masking of Arimilli '511 with the directory cache of Arimilli '975. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the allows the processor to continually run after the defect is found in the cache thus making the cache entry unusable (See Arimilli '511, Col. 7, lines 60-67).

21. Referring to claim 21, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 20) including the use of ECC (error correction code) for detecting the errors (See Arimilli '975, Col. 4, lines 52-57).

22. Referring to claim 22, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 20) including testing the storage device in response to isolating the storage device (See Arimilli '975, Col. 4, lines 25-26).

23. Referring to claim 23, Arimilli '975 and Arimilli '511 disclose all the limitations (See rejection of claim 20) including a retry circuit and allowing ECC to attempt the

correct the problem, this is interpreted as dynamically restoring the storage unit in response to testing the storage device (See Arimilli '975, Col. 6, lines 2-5).

24. Referring to claim 24, Arimilli '975 and Arimilli '511 teach all the limitations (See rejection of claim 20) including indicating an error has occurred in reading the address tag, this is interpreted as providing a cause of the multiple-bit error (See Arimilli '975, Col. 5, lines 48-51).

Response to Arguments

25. Applicant's arguments on page 6 of amendment filed November 1, 2004 concerning the 35 U.S.C. 101 rejection of claims 20-24 have been fully considered but they are not persuasive. Applicant's amendment of "machine readable storage media" to "carrier medium" is still directed to non-statutory subject matter. See above rejection.

26. Applicant's arguments, see pages 6 and 7 of amendment, filed November 1, 2004, with respect to the rejection(s) of claim(s) 1-24 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Arimilli '511, see above rejections.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Manoskey whose telephone number is (571) 272-3648. The examiner can normally be reached on Mon.-Fri. (7:30am to 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDM
January 5, 2005


ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100